DECLARATION

As the below-named inventor, I declare that:

My residence, post office address, and citizenship are as stated below under my name.

I believe I am the original, first, and sole inventor of the invention entitled "GROUP A STREPTOCOCCAL VACCINES," which is described and claimed in the specification and claims of Patent Application No. 09/151,409, which I filed in the United States Patent and Trademark Office on September 10, 1998, which application claims the benefit of U.S. Provisional Application 481112.410P1, filed September 12, 1997, and for which a patent is sought.

I have reviewed and understand the contents of the above-identified specification and claims, as amended by any amendment specifically referred to herein (if any).

I acknowledge my duty to disclose information of which I am aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

James B. Dale

Date Nov 16, 1998

Residence	:	City of Memphis, County of Shelby State of Tennessee
Citizenship	:	United States of America
P.O. Address	:	72 Lombardy Road Memphis, Tennessee 38111

Exp Mail EV336593476US
DOCKET NO. 481112.410C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	James B. Dale
Application No.	:	09/151,409
Filed	:	September 10, 1998
For	:	GROUP A STREPTOCOCCAL VACCINES

Docket No. : 481112.410

Assistant Commissioner for Patents
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

Assignee hereby appoints RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; EDWARD W. BULCHIS, Reg. No. 26,847; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; PAUL T. MEIKLEJOHN, Reg. No. 26,569; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; MAURICE J. PIRIO, Reg. No. 33,273; KARL R. HERMANNS, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; MICHAEL J. DONOHUE, Reg. No. 35,859; CHRISTOPHER J. DALEY-WATSON, Reg. No. 34,807; STEVEN D. LAWRENZ, Reg. No. 37,376; ROBERT G. WOOLSTON, Reg. No. 37,263; ELLEN M. BIERMAN, Reg. No. 38,079; PAUL T. PARKER, Reg. No. 38,264; JOHN C. STEWART, Reg. No. 40,188; DAVID W. PARKER, Reg. No. 37,414; BRIAN G. BODINE, Reg. No. 40,520; FRANK ABRAMONTE, Reg. No. 38,066; E. RUSSELL TARLETON, Reg. No. 31,800; FREDERICK M. FLIEGEL, Reg. No. 36,138; JAN CAROL LITTLE, Reg. No. 41,181; THOMAS L. EWING, Reg. No. 34,328; CLIFTON G. GREEN, Reg. No. 41,044; KEVIN S. COSTANZA, Reg. No. 37,801; DALE C. BARR, Reg. No. 40,498; KEVIN S. ROSS, Reg. No. 42,116; PAUL F. RUSYN, Reg. No. 42,118; JOHN M. WECHKIN, Reg. No. 42,216; THOMAS E. LOOP, Reg. No. 42,810; STEPHEN J. ROSENMAN, Reg. No. 43,058; and BRIAN L. JOHNSON, Reg. No. 40,033, comprising the

firm of SEED AND BERRY LLP, 6300 Columbia Center, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to David McMasters at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

David D. McMasters, Esq.
Seed and Berry LLP
6300 Columbia Tower
701 Fifth Avenue
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to The University of Tennessee Research Corporation filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

The University of Tennessee Research Corporation
ASSIGNEE

11-6-98
DATE

Ann J. Roberson
President

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OCT 19 1998

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James B. Dale
Attorney's Docket No: 481112.410
Application No.: 09/151,409
Filed: September 10, 1998
For: GROUP A STREPTOCOCCAL VACCINES

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 C.F.R. §§ 1.9(f) AND 1.27(d) -- NONPROFIT ORGANIZATION

I declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: The University of Tennessee Research Corporation
Address of Organization: 1534 White Avenue, Suite 403
Knoxville, Tennessee 37996-1527

TYPE OF ORGANIZATION:

[] university or other institution of higher education

[x] tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))

[] nonprofit scientific or educational under statute of a state of the United States of America
(Name of state: _____)
(Citation of statute: _____)

[] would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in the United States of America

[] would qualify as nonprofit scientific or educational under statute of a state of the United States of America if located in the United States of America
(Name of state: _____)
(Citation of statute: _____)

I declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under 35 U.S.C. §§ 41(a) and 41(b) with regard to the invention entitled:

GROUP A STREPTOCOCCAL VACCINES

by inventor James B. Dale _____

as described in:

[] the specification filed herewith.

[x] Application No. 09/151,409, filed September 10, 1998.

[] Patent No. _____, issued _____.

I declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).*

*NOTE: Separate verified statements are required from each named person, concern and organization having rights to the invention averring to his/its status as a small entity. (37 C.F.R. § 1.27)

FULL NAME _____

ADDRESS _____

[] individual

[] small business concern

[] nonprofit organization

FULL NAME _____

ADDRESS _____

[] individual

[] small business concern

[] nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Ann J. Roberson
TITLE IN ORGANIZATION President
ADDRESS OF PERSON SIGNING 1534 White Avenue, Suite 403
Memphis, Tennessee 37996-1527

SIGNATURE Ann J. Roberson DATE 11-6-98

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ASSIGNMENT

WHEREAS, I, James B. Dale (hereinafter referred to as ASSIGNOR), having a post office address of 72 Lombardi Road, Memphis, Tennessee 38111, am the sole inventor of an invention entitled "GROUP A STREPTOCOCCAL VACCINES," as described and claimed in the specification for which an application for United States letters patent was filed on September 10, 1998, and assigned Application No. 09/151,409 which claims the benefit of U.S. Provisional Application 481112.410P1, filed September 12, 1997; and

WHEREAS, The University of Tennessee Research Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Tennessee having a place of business at 1534 White Avenue, Suite 403, Knoxville, Tennessee 37996-1527, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

Nov 16, 1998
Date

James B. Dale

State of Tennessee)
) ss.
County of Shelby)

I certify that I know or have satisfactory evidence that James B. Dale is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated November 16, 1998

Signature of Notary Public Katherine L. Sink

Printed Name KATHERINE L. SINK

My appointment expires My Commission Expires July 11, 1999

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EXPRESS MAIL NO. EV336593476US

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	James B. Dale
Application No.	:	Not yet assigned
Filed	:	February 17, 2004
For	:	GROUP A STREPTOCOCCAL VACCINES
Docket No.	:	481112.410C1

Mail Stop Patent Application
Commissioner for Patent
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION

Sir:

I, Lawrence Teague, in accordance with 37 C.F.R. § 1.821(f) do hereby declare that, to the best of my knowledge, the content of the paper entitled "Sequence Listing" and the computer readable copy contained within the compact disc are the same.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 17th day of February 2004.

Lawrence Teague
Biotechnology Paralegal

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Seattle, WA 98104-7092
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